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October 3, 2013

**VIA ECF**

The Honorable Brian M. Cogan  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Ralph Sams v. The City of New York, 13 CV 2368 (BMC)

Dear Judge Cogan:

As you know, I represent the City of New York and Detective Fawad Khan, in the captioned litigation. The City has instructed me to seek reconsideration of Your Honor's Orders, dated September 26, 2013 and October 3, 2013, the latter of which sanctioned defendants \$500 for their efforts to comply with Your Honor's instructions at the former. Accordingly, the parties need, and both have already requested, the transcript of the September 26<sup>th</sup> Conference. The parties also need Court approval for a briefing schedule for the reconsideration motion. Pursuant to Your Honor's orders, I have reached out to plaintiff's counsel and we have agreed, after taking into account both of our obligations to other courts, to the following joint proposed briefing schedule:

- The City's Motion for Reconsideration will be due 30 days after the City receives the transcript of the September 26<sup>th</sup> Conference from the Court;
- Plaintiff's Response to the Motion will be due 30 days after the City files its Motion for Reconsideration; and
- The City's Reply will be due 15 days after Plaintiff files his Response.

Accordingly, the City respectfully requests that Your Honor so order the above schedule as well as stay *sine die* that portion of Your Honor's October 3<sup>rd</sup> Order directing payment of the sanction seven days from today, *i.e.*, on October 10, 2013.

Respectfully submitted,

Curt P. Beck

CPB/hs

cc: Paul Hale, Esq. (by ECF)